

U.S. Patent Application Serial No. 10/774,425  
Reply to Office Action dated August 29, 2005

Remarks:

Applicant has read and considered the Office Action dated August 29, 2005 and the references cited therein. Claims 1, 3-6 and 8-10 have been cancelled. Claims 2 and 7 are pending.

The drawings were objected to for not showing every feature of the invention specified in the claims. The sound emitting device integral with the crayon in claim 6 must be shown or the feature cancelled from the claim. Claim 6 has now been cancelled. Applicant asserts that the objection to the drawings is traversed.

Claims 1, 3 and 4 were objected to because the claims were identified as being withdrawn. The Action states that it appears that the Applicant intended to cancel these claims. Claims 1, 3 and 4 have now been cancelled and Applicant asserts that the objection to these claims is traversed.

Claim 10 was rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Claim 10 has now been cancelled. Applicant asserts that the rejection under 35 U.S.C. § 112 is traversed. Applicant respectfully requests withdrawal of the rejection.

Claims 5, 6, 8 and 9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee. Claims 5, 6, 8 and 9 have now been cancelled. Applicant asserts that the rejection is moot and requests withdrawal of the rejection.

Claims 2 and 7 were allowed. Applicant thanks the Examiner for the allowability of these claims. As these claims are the only remaining claims and all other matters have been addressed, Applicants assert that the application is in condition for allowance and respectfully requests a Notice of Allowance.

OCT-31-05

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FROM-Merchant & Gould

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T-974 P.005/005 F-724

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A speedy and favorable action in the form of a Notice of Allowance is hereby requested.  
If the Examiner feels that a telephone interview may be helpful in this matter, please contact  
Applicant's representative at (612) 336-4728.

**23552**

PATENT TRADEMARK

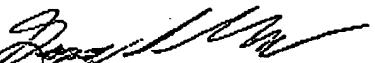
Respectfully submitted,

MERCHANT & GOULD P.C.

Dated:

10/31/05

By:

  
Gregory A. Sebald  
Reg. No. 33,280  
GAS/krn

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